

This matter was referred to United States Magistrate Judge Thomas C. Mummert, III, for a Report and Recommendation pursuant to 28 U.S.C. § 636(b). Judge Mummert's Report and Recommendation recommends that the decision of the Commissioner be reversed and the case be remanded for further proceedings.

I agree with Judge Mummert's recommendation. Therefore, I adopt the Report and Recommendation of Judge Mummert.

Accordingly,

IT IS HEREBY ORDERED that the decision of the Commissioner is **REVERSED** and that this case is **REMANDED** for further proceedings as set forth in Judge Mummert's Report and Recommendation.



RODNEY W. SIPPEL
UNITED STATES DISTRICT JUDGE

Dated this 29th day of November, 2006.